

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

March 20, 2001      LB 180, 594, 827

amendment, AM0904, to the committee amendments to LB 827. All in favor of that amendment being adopted vote aye, opposed nay. We're voting on the Beutler amendment, AM0904, to the committee amendments. Have you all voted who care to? Record vote has been requested. Have you all voted? Record, please, Mr. Clerk.

CLERK: (Record vote read, Legislative Journal page 1124.) 16 ayes, 20 nays, Mr. President.

SENATOR CUDABACK: Beutler amendment is not adopted. Mr. Clerk, you have items for the record?

CLERK: I do, Mr. President, thank you. An amendment to be printed by Senator Kremer to LB 180, and Education Committee reports LB 594 as indefinitely postponed. (Legislative Journal pages 1124-1125.)

Mr. President, the next amendment, Senator Beutler, AM0905. (Legislative Journal page 1073.)

SENATOR CUDABACK: Senator Beutler, to open on your amendment, AM0905, to committee amendments to LB 827. Recognized to open.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, this is the last amendment that I filed and this amendment goes back to the first page of the bill and it deals with that section of the bill that indicates that no agency or political subdivisions, including the public utilities, of course, would be allowed to use lighted fiber in any instance. It's an across-the-board prohibition with respect to providing any sort of telecommunications service. What this amendment says is that we'll retain that rule "unless the Public Service Commission determines that primary or other ancillary backup telecommunications service are not available in the service area or political subdivision". So it molds on to this rule, to this prohibition, an exception, and that exception would allow the Public Service Commission to take a look, in the case of an application, to take a look and to determine whether there was, in fact, no primary service or other backup service in cases where commercial interests required two different accesses in order to feel comfortable locating in a community. So this